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COMMISSION ON HUMAN RIGHTS

Fifty-third session

SUMMARY RECORD OF THE 64th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 15 April 1997, at 3 p.m.

Chairman: Mr. SOMOL (Czech Republic)

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(b) STATUS OF THE CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT;

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The meeting was called to order at 3.35 p.m.

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT, IN PARTICULAR:

(a) TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT;

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(c) QUESTION OF ENFORCED OR INVOLUNTARY DISAPPEARANCES;

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(agenda item 8) (continued) (E/CN.4/1997/L.79, L.99 and L.108)

Draft resolution on the question of arbitrary detention (E/CN.4/1997/L.79)

1. Mr. GOONETILLEKE (Sri Lanka), supported by Mr. ALI (Malaysia), said he agreed with the general principle of the amendment proposed by the representative of Cuba (E/CN.4/1997/L.99), but believed it was already incorporated into the fifth preambular paragraph and paragraph 15 of the draft resolution. He therefore urged the delegation of Cuba to withdraw its amendment so that the draft resolution could be adopted without a vote.

2. Mr. DEMBRI (Algeria) said that the original proposal had been the result of the openness and desire for agreement shown during consultations by the delegation of France. The Cuban amendment made no significant addition to the draft resolution, and tended to confuse international norms and international standards. He urged the delegations of Cuba and France to withdraw their amendments, which he would vote against if necessary.

3. Ms. JANJUA (Pakistan) said she agreed that the concerns expressed by the delegation of Cuba were adequately addressed in paragraph 15 of the draft resolution and requested it to withdraw its amendment.

4. Mr. ALFONSO MARTINEZ (Cuba) said that his delegation had wished to see the ideas expressed in consultations made explicit in the text of the draft resolution but, in deference to the wishes of those delegations that had expressed their support for the principle involved, it withdrew the amendment.

5. Mr. BERNARD (France) said that his delegation's subamendment (E/CN.4/1997/L.108) was thus also withdrawn. He drew attention to two editorial details of the draft resolution: in the fourth line of paragraph 15 of the Spanish text, "jurisdicciones" should be replaced by "instancias", and in the French text, "détention arbitraire" should be replaced by "privation arbitraire de liberté" in subparagraph (d) of paragraph 2, and not of paragraph 4, as he had erroneously stated earlier in the discussions.

6. Mr. DIAZ URIBE (Colombia) said that "dictámenes" should be replaced by "opiniones" in paragraphs 7 and 8 of the Spanish text.

7. Draft resolution E/CN.4/1997/L.79 was adopted without a vote.

8. Ms. GHOSE (India) said that the process whereby proposals were submitted to the Commission by the Sub-Commission in the form of draft decisions needed to be rationalized. For example, with respect to draft decision 7, the Sub-Commission's Special Rapporteur on the question of human rights and states of emergency submitted annual updates, whereas a triennial report or reports on current states of emergency only might well be adequate. She believed the issue should be addressed by the Commission at its next session.

9. Mrs. RUBIN (United States of America) said that, while her delegation had been pleased to join the consensus on the draft resolution, it wished to explain its position on certain points with which it differed. It accepted that there was a difference between imprisonment, which required a legal conviction, and detention, but the distinction became blurred or disappeared when courts convicted defendants in an arbitrary manner.

10. The Commission should resist unduly restricting the working methods of the Working Group on Arbitrary Detention, especially with regard to its investigations in countries without an independent judiciary. She also stressed that all States were bound by the obligations in international human rights conventions to which they were a party, as well as by the human rights standards of customary international law.

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION:

(a) ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS;

(b) NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS;

(c) COORDINATING ROLE OF THE CENTRE FOR HUMAN RIGHTS WITHIN THE UNITED NATIONS BODIES AND MACHINERY DEALING WITH THE PROMOTION AND PROTECTION OF HUMAN RIGHTS;

(d) HUMAN RIGHTS, MASS EXODUSES AND DISPLACED PERSONS

(agenda item 9) (continued) (E/CN.4/1997/L.36, L.86 and L.87)

Draft resolution on enhancement of international cooperation in the field of human rights (E/CN.4/1997/L.36)

11. The CHAIRMAN said that the draft resolution had been withdrawn.

12. Mr. GUERRERO (Colombia) said that the Movement of Non-Aligned Countries was firmly committed to genuine cooperation between Member States in the field of human rights on the basis of constructive dialogue and respect for the

sovereign equality of States. "Cooperation, not confrontation" was not just a slogan but a new approach to international relations. He was hopeful that effective ways and means would be found to enhance international cooperation, as called for in General Assembly resolution 51/100. He stressed that the Movement's initiative was not linked to any other proposal on the subject and that the Movement would be pursuing it at both the fifty-second session of the General Assembly and the fifty-fourth session of the Commission.

Draft resolutions on the rationalization of the work of the special procedures system and review of the special procedures system (E/CN.4/1997/L.86 and L.87).

13. Ms. JANJUA (Pakistan) said that it was essential to make the special procedures system more credible and more effective, but, despite the many valuable suggestions that had been made during the discussions and incorporated into the texts of the draft resolutions, further consultation was necessary for full consensus to be reached. She therefore withdrew the two draft resolutions and proposed, instead, the following draft decision:

> "Decides to defer consideration of the two draft resolutions entitled 'rationalization of the work of the special procedures system' (E/CN.4/1997/L.86) and 'Review of the special procedures system' (E/CN.4/1997/L.87) to the fifty-fourth session of the Commission on Human Rights."

14. The draft decision proposed by the representative of Pakistan was adopted.

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS (agenda item 18) (continued) (E/CN.4/1997/L.61 and L.78)

Draft resolution on assistance to Guatemala in the field of human rights (E/CN.4/1997/L.61) (continued)

15. Mrs. KLEIN (Secretary of the Commission) said that the representatives of the Dominican Republic, Italy, Nicaragua and Uruguay and the observers for Costa Rica and Honduras had become sponsors of the draft resolution.

16. Mr. GIROUX (Canada), speaking in explanation of position, said that the peace agreements signed by the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG), as well as other significant developments over the past year had the potential to improve the human rights situation in Guatemala significantly. His Government would continue to support efforts to build peace with democracy and full respect for human rights. It deeply regretted the recent resignation of the independent expert, Mrs. Mónica Pinto, who deserved the warmest thanks of the Commission and the people of Guatemala. It was vital that the report called for in the resolution should provide a balanced, comprehensive basis for the Commission's deliberations at its forthcoming session.

17. Mr. COMBA (Centre for Human Rights) said that the costs associated with the mission requested for 1997 would be absorbed in the 1996-1997 budget allocated to the mandate of independent experts, and the draft resolution, if adopted, would have no further financial implications.

18. Draft resolution E/CN.4/1997/L.61, as orally amended, was adopted.

Draft resolution on the situation of human rights in Haiti (E/CN.4/1997/L.78) (continued)

19. Mr. SUAREZ FIGUEROA (Observer Venezuela), replying to the question asked at an earlier meeting by the representative of Ireland concerning paragraph 18 of the draft resolution, said that a visit by the Special Rapporteur on violence against women to Haiti was not a new idea, since it had been incorporated in the resolution adopted the previous year by the Commission on the situation of human rights in Haiti (1996/58). The motivation for suggesting such a visit had been concern over the violence to which Haitian women were being subjected. The report of the independent expert indicated that the United Nations Population Fund had offered to provide financial support in connection with such a visit (E/CN.4/1996/94, para. 57).

20. Following negotiations with the Irish delegation, the sponsors had concluded that the objective of a visit by the Special Rapporteur to Haiti could be attained through the resources of the regular budget. Consequently, they had decided to delete the phrase "with the support of the United Nations Population Fund" from paragraph 18. Moreover, in paragraph 7, the words "the inclusion of" would be replaced by "the continued inclusion of", and the words "the establishment of" by "takes note of the work of".

21. Ms. ANDERSON (Ireland) thanked the observer for Venezuela for the supplementary information that had fully clarified the issue.

22. The draft resolution, as orally revised, was adopted.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES, INCLUDING:

(a) QUESTION OF HUMAN RIGHTS IN CYPRUS (agenda item 10) (continued) (E/CN.4/1997/L.40, L.46, L.83, L.85 and L.109)

Draft resolution on the situation of human rights in Nigeria (E/CN.4/1997/L.40 and L.109)

23. Mr. van WULFFTEN PALTHE (Netherlands), introducing the draft resolution on behalf of its sponsors, who had been joined by the representatives of Argentina, Japan and the United States of America, said that the report on the situation of human rights in Nigeria submitted jointly by the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on the independence of judges and lawyers (E/CN.4/1997/62 and Add.1) made it clear that the situation there was even worse than had been feared. The promised changes in the legal system had not been followed up by acts and human rights were being violated on a massive scale.

24. Of particular concern were the rumours concerning Chief Abiola, of ill-health, deprivation of medical treatment and even death. Despite numerous requests for information, however, the Nigerian authorities remained silent as to his whereabouts and his well-being. Some of the alleged political activists accused of treason were being tried in absentia. For those reasons, paragraph 4, subparagraph (a) of the draft resolution provided that a special rapporteur should be appointed for Nigeria.

25. During negotiations concerning a similar draft resolution at the Commission's previous session it had been agreed that, if the two Special Rapporteurs he had mentioned were not allowed to visit Nigeria, the Commission, would appoint a special rapporteur for Nigeria. The Nigerian authorities had repeatedly broken their word, and it was time to make it clear that contempt for the Commission's decisions could not be without consequences. The sponsors called for wide support for the draft resolution, which should be adopted without a vote.

26. Mrs. KLEIN (Secretary of the Commission) said that the observers for Belgium, Estonia, Liechtenstein and Romania had become sponsors of the draft resolution.

27. Mr. ZAHRAN (Egypt), introducing on behalf of its sponsors a proposed amendment (E/CN.4/1997/L.109) designed to replace paragraph 4, subparagraph (a) of the draft resolution (E/CN.4/1997/L.40), said that the sponsors were motivated by the conviction that the situation of human rights in any country must be analysed through consultation, respect for sovereignty and non-interference in the internal affairs of the State.

28. The sponsors, who comprised representatives of the great majority of African States, were convinced that accusations levelled against the Nigerian Government would not be conducive to achieving respect for human rights in that country. The Government of Nigeria had not prevented the Special Rapporteurs from visiting the country. Though it was true that agreement for the visit had been given only in 1997, the Special Rapporteurs should have been able to make their visit and to report to the Commission on the situation in the country. The draft resolution, as amended, would acknowledge that the mandates of the two Special Rapporteurs had not been carried out and would urge the Nigerian Government to facilitate their visits in the future.

29. In its statement to the Commission under agenda item 10, the Government of Nigeria had expressed regret at the cancellation of the visit by the Special Rapporteurs and had affirmed that the invitation to make such a visit was still open. The sponsors, who had obtained guarantees from the Government of Nigeria that it would cooperate fully with the Commission in moving forward in the transition to civilian government, thus called on the members of the Commission to support the amendment and, if a vote was to be taken, requested a roll-call vote.

30. Mrs. KLEIN (Secretary of the Commission) said that the representatives of Ethiopia and Mali and the observers for Congo and Tunisia had become sponsors of the draft amendment.

31. Mr. USMAN (Observer for Nigeria), commenting on the proposed amendment, said false information had been circulating of late to the effect that Chief Abiola had died and that a request by the representative of the Netherlands in Nigeria to meet Chief Abiola to verify that rumour had been refused. No such request had ever been made to the Government of Nigeria, and Chief Abiola was hale and hearty. If the Commission requested confirmation of that fact, his Government would ensure that a representative of any of the sponsors of the proposed amendment who was resident in Nigeria would be enabled to meet Chief Abiola.

32. His delegation thanked those Governments that had shown a good understanding of its situation and assured them of its Government's commitment to the faithful implementation of the Programme of Transition to Civil Rule.

33. Mr. van WULFFTEN PALTHE (Netherlands) said that, he had in his possession copies of four notes verbales sent by his Government's Embassy in Nigeria requesting meetings with Chief Abiola. The only response from the Nigerian Ministry of Foreign Affairs had been to withdraw the agreement for the presence of the Ambassador of the Netherlands in Nigeria. He requested a roll-call vote on the proposed amendment and hoped all delegations would vote against it.

34. Mr. COMBA (Centre for Human Rights), outlining the financial implications of the draft resolution, said that the requirements related to the appointment of a new special rapporteur had been estimated at US$ 55,000. Though no provision had been made for that purpose in the 1996-1997 programme budget, it was anticipated that the requirements could be absorbed within the existing resources under section 21.

35. If the proposed amendment was adopted, a joint visit to Nigeria would be undertaken by the two Special Rapporteurs. The costs relating to that visit were expected to be absorbed within the provisions made in the 1996-1997 programme budget for the Special Rapporteurs in question.

36. Mr. MUSA HITAM (Malaysia) said that, at a meeting in Nigeria with the authorities in the context of the Commonwealth Ministers' Action Group (CMAG), he had requested that the Commission's Special Rapporteurs be accorded the fullest cooperation and given the fullest facilities. It was most unfortunate, therefore, that the visit had not taken place. He also regretted that his Government's request that its representatives be allowed, while in Nigeria, to meet certain prominent detainees had not been entertained.

37. His delegation would be abstaining if votes were taken on either the proposed amendment or the draft resolution. It hoped that the Nigerian Government would be more forthcoming regarding the urgings of the international community.

38. Mr. SELEBI (South Africa) said that his country, too, had participated in the Commonwealth Ministerial Action Group in a process aiming at dialogue, which had come to nothing. The point at issue was not, indeed, "dialogue" but the defence of people's rights: Africans too must be free. His delegation

would not therefore support the proposed amendment, which sought to avoid the issue of the promotion and protection of people's rights, but would vote in favour of the draft resolution.

39. More than a mere "visit" was required; stronger action must be taken. There seemed to be a progressive tendency to blame the messenger rather than the violators of human rights themselves. It was those in power in Nigeria who had created the current situation, not the thematic Special Rapporteurs.

40. Ms. RUBIN (United States of America) said her delegation was opposed to the amendment, which would prevent the appointment of a special rapporteur. The Government of Nigeria had refused to cooperate with the thematic Special Rapporteurs, whom it had agreed to invite in 1996, and it should not be rewarded for failing to honour its commitments to the Commission. The human rights situation in Nigeria was serious enough to warrant the attention of a special rapporteur.

41. Mr. ZAHRAN (Egypt) said that he had not sought to accuse or criticize the Special Rapporteurs or the sponsors of the draft resolution. The aim of the proposed amendment was to encourage the Special Rapporteurs to visit Nigeria, in the belief that the enjoyment of human rights and fundamental freedoms could best be achieved through cooperation between the Nigerian Government and the Commission.

42. Mr. DEMBRI (Algeria) pointed out that the proposed amendment had 28 sponsors, all from Africa. Clearly the African Group had a different approach to the state of affairs in Nigeria, on which the way forward was consensus not confrontation. Moreover, he was not inclined to trust unauthenticated documents of unknown provenance. The Commission was made up of responsible Governments which should be guided by facts, not allegations.

43. It was unacceptable for some Governments to talk of basing economic and trading decisions on the human rights situation in other countries, as if they had some absolute claim to superiority. It was for Africa to take responsibility for its own. The draft resolution, if amended as proposed, would give Nigeria the opportunity to improve its human rights situation. He urged the Commission to achieve consensus and not to make a divisive decision that it might later regret.

44. Mr. de ICAZA (Mexico) said he was astonished at the unprecedentedly contradictory statements that had been made. The confrontation of one group of States with another group of States meant that the cause of human rights in Nigeria had been lost sight of. His delegation was not willing to participate in the argument and would therefore abstain on both the draft resolution and the proposed amendment.

45. At the request of the representative of the Netherlands, a vote was taken by roll-call on the amendment proposed to the draft resolution on the situation of human rights in Nigeria.

46. The Dominican Republic, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Algeria, Angola, Benin, Cape Verde, China, Cuba, Egypt, Ethiopia, Gabon, Guinea, India, Indonesia, Madagascar, Mali, Mozambique, Pakistan, Sri Lanka, Uganda, Zaire, Zimbabwe.

Against: Argentina, Austria, Belarus, Brazil, Bulgaria, Canada, Chile, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, France, Germany, Ireland, Italy, Japan, Netherlands, Nicaragua, South Africa, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Abstaining: Bangladesh, Bhutan, Colombia, Malaysia, Mexico, Nepal, Philippines, Republic of Korea, Russian Federation.

47. The amendment was rejected by 24 votes to 20, with 9 abstentions.

48. At the request of the representative of Egypt, a vote was taken by roll-call on draft resolution (E/CN.4/1997/L.40).

49. China, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Argentina, Austria, Belarus, Brazil, Bulgaria, Canada, Chile, Colombia, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, France, Germany, Ireland, Italy, Japan, Netherlands, Nicaragua, Republic of Korea, Russian Federation, South Africa, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against: Benin, China, Cuba, Gabon, Indonesia, Zaire.

Abstaining: Algeria, Angola, Bangladesh, Bhutan, Cape Verde, Egypt, Ethiopia, Guinea, India, Madagascar, Malaysia, Mali, Mexico, Mozambique, Nepal, Pakistan, Philippines, Sri Lanka, Zimbabwe.

50. Draft resolution E/CN.4/1997/L.40 was adopted by 28 votes to 6, with 19 abstentions.

Draft resolution on the situation of human rights in the Islamic Republic of Iran (E/CN.4/1997/L.46)

51. Mr. van WULFFTEN PALTHE (Netherlands), introducing the draft resolution on behalf of its sponsors, said that it had been the subject of extensive negotiations among the sponsors and with the Iranian delegation in the hope of making it acceptable to all parties. Consensus had, however, remained elusive.

52. The draft resolution expressed concern at the continuing violations of human rights in the Islamic Republic of Iran, at grave breaches of the human rights of the Baha'is in that country, at violations of the right to peaceful

assembly and restrictions on freedom of expression and the failure of the Government to make any commitment not to harm Mr. Salman Rushdie, the bounty on whose head had indeed been increased. In that connection, in the last line of paragraph 2, subparagraph (d), the word "Mehrdad" should read "Khordad". The recent outcome of the so-called "Mykonos" trial had demonstrated that State terrorism was unacceptable. The draft resolution also called for discrimination against women to cease.

53. Mrs. KLEIN (Secretary of the Commission) said that the representatives of Canada, Czech Republic and Japan and the observers for Estonia, Liechtenstein, Romania and Slovakia had become sponsors of the draft resolution.

54. Mr. ZIARAN (Observer for the Islamic Republic of Iran) said he regretted that the representative of the Netherlands had repeated the allegations contained in the draft resolution. Voting should have been unnecessary, since a consensus could have been reached; his delegation had done its utmost, but the sponsors had shown neither political will nor courage.

55. The draft resolution was almost identical to previous resolutions, despite the fact that the Special Representative had stated that progress was being made in a number of sectors and that that should be reflected in the Commission's decisions. Indeed, the tone of the Special Representative's report was in stark contrast to that of the draft resolution, which was full of illusions. It was more of a draft allegation. The sponsors could not come to terms with reality, since for them human rights concerns were relevant only in so far as their political ends were attained.

56. Despite the fact that the Special Representative had been influenced by misinformation and made some unfair observations, the Iranian delegation had been ready to work towards a consensus resolution. It was ready to continue cooperating with the Special Representative and to accept a consensus resolution based on his report and extending his mandate.

57. In negotiations with the sponsors, however, it had been told that the Special Representative's report was not the main source of information. It took the view that the Special Representative's report should form the basis of the Commission's decisions and that the sponsors should have passed on to him any information they had obtained elsewhere.

58. Such disregard of the Special Representative rendered the exercise a futile one and, if the trend continued, it would be detrimental to human rights, by discouraging countries from cooperating with human rights bodies. His Government would continue to cooperate with the Special Representative, but not on the basis of the draft resolution, if it was adopted. He invited the members of the Commission to vote against it.

59. Mr. COMBA (Centre for Human Rights) said that the amount of $121,600 was available under section 21 of the 1996-1997 programme budget for the costs of extending the Special Rapporteur's mandate for a further year, as provided in paragraph 4, subparagraph (a), of the draft resolution. The requirements for the first quarter of 1998 would be included in the proposed programme budget for the biennium 1998-1999.

60. Mr. AKRAM (Pakistan), speaking in explanation of vote before the voting, said he had hoped that the negotiations between the sponsors and the Islamic Republic of Iran would lead to a consensus, which he would have supported. Since no consensus had been reached, he requested a roll-call vote; his own delegation would vote against the draft resolution.

61. Mr. TARMIDZI (Indonesia), speaking on behalf of the member countries of the Organization of the Islamic Conference (OIC), and Mr. CASTRO GUERRERO (Colombia) said that they also regretted the failure to reach consensus and that they supported the request for a roll-call vote.

62. Mrs. BAUTISTA (Philippines) said that the current situation raised the larger issue of how to deal with the reports of special rapporteurs in such cases.

63. Mr. CHOWDHURY (Bangladesh) said that the adoption of the draft resolution could serve no effective purpose and that his delegation would vote against it.

64. The vote was taken by roll-call.

65. Mozambique, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Algeria, Argentina, Austria, Brazil, Bulgaria, Canada, Chile, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, France, Germany, Ireland, Italy, Japan, Mexico, Netherlands, Nicaragua, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Zaire.

Against: Bangladesh, China, Cuba, India, Indonesia, Malaysia, Pakistan.

Abstaining: Angola, Belarus, Benin, Bhutan, Cape Verde, Colombia, Egypt, Gabon, Guinea, Madagascar, Mali, Mozambique, Nepal, Philippines, Republic of Korea, South Africa, Sri Lanka, Uganda, Zimbabwe.

66. The draft resolution was adopted by 26 votes to 7, with 19 abstentions.

Draft resolution on the human rights situation in southern Lebanon and West Bekaa (E/CN.4/1997/L.83)

67. Mr. ZAHRAN (Egypt) said that the sponsors of the draft resolution wished to introduce a technical revision. In both the second preambular paragraph and paragraph 2, the word "resolution" should be changed to "resolutions" and the words "and 509 (1982) of 6 June 1982" should be added after "19 March 1978".

68. The draft resolution expressed concern about the repeated Israeli aggressions and human rights violations in southern Lebanon and West Bekaa and about Israel's failure to implement Security Council resolutions 425 (1978) and 509 (1982); called upon Israel to comply with those resolutions and to release all detainees; and provided for the Commission's continued consideration of the agenda item at its fifty-fourth session.

69. The aim of the draft resolution was to promote the achievement of a comprehensive, just and lasting peace in the Middle East. In the current situation, Lebanon needed the support of the international community; he therefore hoped that the Commission would adopt the draft resolution without a vote.

70. Mrs. KLEIN (Secretary of the Commission) said that the representative of Pakistan had become a sponsor of the draft resolution.

71. Mr. LAMDAN (Observer for Israel) said that the fact that several delegations attacked Israel not only under agenda items 4 and 7, but also under item 10, represented a further exploitation of the Commission's agenda for political purposes far removed from the cause of human rights.

72. The draft resolution, presented a one-sided and distorted view of the situation, which was caused by the hostile activities of terrorist organizations that used Lebanon as a base for their relentless aggression against Israel. The Lebanese Government had refused to restrain and disarm those groups. It could not support terrorism and expect peace in return.

73. Israel had no territorial claims or designs on Lebanon. It simply demanded that Lebanon should put its house in order so that the peace negotiations could continue. Lebanon's refusal to do so was at odds with its claim to be committed to the Middle East peace process, which was based solely on Security Council resolutions 242 (1967) and 338 (1973), as stipulated by the sponsors of the Madrid Peace Conference. The Commission's adoption of any one-sided resolution suggesting alternative approaches would lead nowhere.

74. Mr. EL KHAZEN (Observer for Lebanon) said that any people under occupation had the right to offer resistance. The disorder of which the Israeli delegation had spoken was caused by Israel. The Lebanese Government was willing to exercise its sovereignty over all of its territory, if Israel would implement Security Council resolutions 425 (1978) and 509 (1982).

75. The CHAIRMAN said that a delegation had formally requested a vote by show of hands on the draft resolution.

76. Mr. ZAHRAN (Egypt) said that, if the draft resolution could not be adopted by consensus, he requested a roll-call vote.

77. Mr. J.A. FERNÁNDEZ (Cuba) asked which delegation had requested a vote by show of hands.

78. The CHAIRMAN said that the delegation of the United States of America had submitted the request.

79. The vote was taken by roll-call.

80. Ireland, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Algeria, Angola, Argentina, Austria, Bangladesh, Belarus, Benin, Bhutan, Brazil, Bulgaria, Canada, Cape Verde, Chile, China, Colombia, Cuba, Czech Republic, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, France, Gabon, Germany, Guinea, India, Indonesia, Ireland, Italy, Japan, Madagascar, Malaysia, Mali, Mexico, Mozambique, Nepal, Netherlands, Nicaragua, Pakistan, Philippines, Republic of Korea, Russian Federation, South Africa, Sri Lanka, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Zaire, Zimbabwe.

Against: United States of America.

Abstaining: Dominican Republic.

81. The draft resolution was adopted by 51 votes to 1, with 1 abstention.

Draft resolution on cooperation with representatives of United Nations human rights bodies (E/CN.4/1997/L.85)

82. Mr. LAKATOS (Observer for Hungary) said that the draft resolution was based on previous resolutions adopted by the Commission. He outlined its highlights and expressed the hope that it would be adopted by consensus.

83. Mrs. KLEIN (Secretary of the Commission) said that the representatives of Brazil, the Netherlands and Uruguay had become sponsors of the draft resolution.

84. The draft resolution was adopted.

The meeting rose at 6.05 p.m.